



DEFENSE LOGISTICS AGENCY
DEFENSE LOGISTICS SUPPORT COMMAND
8725 JOHN J. KINGMAN ROAD, SUITE 2533
FORT BELVOIR, VIRGINIA 22060-6221

DEC 21 1999

IN REPLY
REFER TO DLSC-P
FARS DEV 99- 21

MEMORANDUM FOR COMMANDER, Defense Energy Support Center (DESC)

SUBJECT: Class Deviation from FAR 5.303, DFARS 205.303 and DLAD 5.303

The subject regulatory sections require the public announcement of certain acquisitions as much as 48 hours in advance of award. These timeframes do not permit DESC to take advantage of commercial practices and competition in the natural gas and **electricity** Industries. This **situation** has been remedied, up to now, by a series of one-time deviations. The rationale articulated in the most recent DESC deviation request clearly justifies the granting of a class deviation.

Therefore, pursuant to the class deviation authority granted to me by the Director, Defense Procurement, by memorandum dated September 30, 1999, I authorize DESC to notify DLA of any natural gas or electricity award by e-mail, fax, or phone call NLT 4:00 p.m. on the day the contract is awarded.

This class deviation will expire in three years from the issue date.

WILLIAM J. KENNY
Executive Director
Procurement Management



OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301.3000

OCT - 6 1999

ACQUISITION AND
TECHNOLOGY

September 30, 1999

DP (DAR)

MEMORANDUM FOR DEPUTY FOR ACQUISITION AND BUSINESS MANAGEMENT,
ASN(RD&A)/ABM
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING), SAF/AQC
DEPUTY ASSISTANT SECRETARY OF THE ARMY (PROCUREMENT)
→ EXECUTIVE DIRECTOR FOR PROCUREMENT MANAGEMENT (DLSC/DLA)
DIRECTOR, DEFENSE COMMISSARY AGENCY

SUBJECT: Delegation of Class Deviation Authority

I delegate to you approval authority for certain class deviations to the Federal Acquisition Regulation (FAR) and the Defense FAR Supplement (DFARS) .

I authorize you to approve class deviations from the FAR or the FAR Supplement except for: (1) deviations identified in DFARS 201.402(1)(i); or (2) deviations that have a significant effect beyond the internal operating procedures of your department or agency or have a significant cost or administrative impact on contractors or offerors. This authority to deviate does not include any deviation that diminishes any preference accorded small business concerns by the FAR or DFARS. This authority to deviate does not extend to requirements imposed by statute or regulations of other agencies such as the Small Business Administration and the Department of Labor.

This delegation authority is effective until the DFARS is revised.

Eleanor R. Spector
Director, Defense Procurement

